

Arameh Z. O'Boyle (SBN: 239495)  
azoboyle@mintz.com  
Esteban Morales (SBN 273948)  
emorales@mintz.com  
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO P.C.  
2049 Century Park East, Suite 300  
Los Angeles, CA 90067  
Telephone: (310) 586-3200  
Facsimile: (310) 586-3202

*[Additional Defendants' Counsel continued on next page]*

*Attorneys for Defendants MindGeek  
S.à r.l., MG Freesites Ltd, MindGeek USA  
Incorporated, MG Premium Ltd, MG  
Global Entertainment Inc., and 9219-  
1568 Quebec Inc.*

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

K.A.,

Plaintiff,

v.

MINDGEEK S.A.R.L. a foreign entity;  
MG FREESITES LTD, a foreign entity;  
MINDGEEK USA INCORPORATED, a  
Delaware corporation; MG PREMIUM  
LTD, a foreign entity; MG GLOBAL  
ENTERTAINMENT INC., a Delaware  
corporation; 9219-1568 QUEBEC, INC.,  
a foreign entity; BERND BERGMAIR, a  
foreign individual; FERAS ANTOON, a  
foreign individual; DAVID TASSILLO,  
a foreign individual; VISA INC., a  
Delaware corporation; REDWOOD  
CAPITAL MANAGEMENT, LLC, a  
Delaware limited liability company;  
REDWOOD DOE FUNDS 1-7;  
COLBECK CAPITAL  
MANAGEMENT, LLC, a Delaware  
limited liability company; COLBECK  
DOE FUNDS 1-3,

Defendants.

Case No. 2:24-cv-04786-WLH-ADS

**DECLARATION OF ESTEBAN  
MORALES IN SUPPORT OF  
JOINT STIPULATION RE  
BRIEFING SCHEDULE FOR  
DEFENDANTS' MOTIONS TO  
DISMISS**

Judge: Hon. Wesley L. Hsu

Complaint Filed: June 7, 2024

Trial Date: None Set

1 [Additional Defendants' Counsel continued from caption page]

2 Seth R. Goldman (*pro hac vice app. forthcoming*)  
3 srgoldman@mintz.com  
4 MINTZ, LEVIN, COHN, FERRIS,  
5 GLOVSKY AND POPEO, P.C.  
6 919 Third Avenue  
New York, NY 10022  
Telephone: (212) 692-6845  
Facsimile: (212) 983-3115

7 Peter A. Biagetti (*pro hac vice app. forthcoming*)  
8 pabiagetti@mintz.com  
9 MINTZ, LEVIN, COHN, FERRIS,  
10 GLOVSKY AND POPEO, P.C.  
11 One Financial Center  
12 Boston, MA 02111  
13 Telephone: (617) 542-6000  
14 Facsimile: (617) 542-2241  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 I, Esteban Morales, declare and state as follows:

2 1. I am a Member of the law firm of MINTZ LEVIN COHN FERRIS  
3 GLOVSKY AND POPEO P.C. (“Mintz”), counsel of record for Defendants  
4 MindGeek S.à.r.l., MG Freesites Ltd, MindGeek USA Incorporated, MG Premium  
5 Ltd, MG Global Entertainment Inc., and 9219-1568 Quebec Inc. I am over the age  
6 of eighteen. Except for those matters set forth on information and belief, I make  
7 this declaration of my own personal knowledge. I could and would competently  
8 testify as to the matters set forth below if called upon to do so.

9 2. Between June 7, 2024 and June 20, 2024, counsel for Plaintiff filed the  
10 following thirteen actions (including this case, “the Thirteen Actions”) in this  
11 Court, each of which name the same defendants:<sup>1</sup>

- 12 • *K.A. v. MindGeek S.A.R.L. et al.*, 24-cv-04786;
- 13 • *N.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04788;
- 14 • *T.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04795;
- 15 • *X.N. v. MindGeek S.A.R.L. et al.*, 24-cv-04800;
- 16 • *N.Y. v. MindGeek S.A.R.L. et al.*, 24-cv-04801;
- 17 • *L.T. v. MindGeek S.A.R.L. et al.*, 24-cv-04791;
- 18 • *J.C. v. MindGeek S.A.R.L. et al.*, 24-cv-04971;
- 19 • *W.L. v. MindGeek S.A.R.L. et al.*, 24-cv-04977;
- 20 • *C.S. v. MindGeek S.A.R.L. et al.*, 24-cv-04992;

---

25 <sup>1</sup> The named defendants are: MindGeek S.à r.l., MG Freesites Ltd, MindGeek USA  
26 Incorporated, MG Premium Ltd, MG Global Entertainment Inc., 9219-1568  
27 Quebec Inc., Bernd Bergmair, Feras Antoon, David Tassillo, Visa Inc., Redwood  
28 Capital Management, LLC, and Colbeck Capital Management, LLC  
 (“Defendants”).

- *S.O. v. MindGeek S.A.R.L. et al.*, 24-cv-04998;
- *L.S. v. MindGeek S.A.R.L. et al.*, 24-cv-05026;
- *W.P. v. MindGeek S.A.R.L. et al.*, 24-cv-05185; and
- *A.K. v. MindGeek S.A.R.L. et al.*, 24-cv-05190

The Complaint in each of the above cases (including in this case) contains seventeen causes of action and is over one hundred pages long.

On July 24, 2024, in *Fleites v. MindGeek S.A.R.L., et al.* (No. 21-cv-4920), which is also pending before this Court and was filed by counsel for Plaintiff against the same Defendants, the parties filed a Joint Stipulation Re Briefing Schedule for Defendants' Responses to Plaintiff's Second Amended Complaint (the "*Fleites* Joint Stipulation"). Dkt. No. 419. In the *Fleites* Joint Stipulation, the parties referenced the Thirteen Actions (described therein as the "Additional Actions") and explained that they agreed to the schedule now memorialized in the accompanying stipulation:

WHEREAS, after filing the [Second Amended Complaint in *Fleites*], Plaintiff's counsel also filed thirteen (13) additional actions against the same Defendants in the United States District Court for the Central District of California (the "Additional Actions");

WHEREAS, . . . on July 11, 2024, counsel for Defendants and counsel for the plaintiffs in the Additional Actions, further conferred and agreed to a coordinated briefing schedule for those cases, whereby the time for each Defendant to answer, move or otherwise respond to the Additional Actions is October 15, 2024; the time for plaintiffs to respond to each answer, motion or response is November 22, 2024; and the time for each Defendant to file a reply is December 13, 2024, and agreed to submit corresponding stipulations in each of those Additional Actions . . . .

*Fleites* Joint Stipulation, Dkt. 419 at Pgs. 2-3.

Consistent with the *Fleites* Joint Stipulation, the parties now respectfully request that the Court grant this stipulation and enter the following schedule:

**October 15, 2024:** Each Defendant's Deadline to Answer, Move, or Otherwise Respond to the Complaint;

**November 22, 2024:** Plaintiff's Deadline to Respond to Each Defendant's Answer, Motion, or Response (if and as applicable);

**December 13, 2024:** Each Defendant's Deadline to File Replies (if and as applicable);

**January 10, 2025:** Proposed Hearing on Each Defendant's Answer, Motion or Response (if and as applicable)

The undersigned respectfully submits that good cause exists for the entry of this stipulation given the volume and complexity of each Complaint in the Thirteen Actions (including in this case) and the efficiencies of having a unified schedule for the Defendants. The undersigned further submits that Mintz was recently retained to represent MindGeek S.à.r.l., MG Freesites Ltd, MindGeek USA Incorporated, MG Premium Ltd, MG Global Entertainment Inc., and 9219-1568 Quebec Inc. in this case and that counsel are evaluating the allegations and potential defenses.

The Defendants have not previously sought an extension of the response dates in this case. If the request to enter the stipulation was denied, defendants in the Thirteen Actions with August 13<sup>th</sup> response dates would be prejudiced by the inability to prepare a comprehensive response by that date given the breadth of the allegations.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on August 9, 2024, in Los Angeles, California.

/s/ Esteban Morales  
Esteban Morales

**CERTIFICATE OF SERVICE**

I, the undersigned counsel of record for Defendants MindGeek S.à r.l., MG Freesites Ltd, MindGeek USA Incorporated, MG Premium Ltd, MG Global Entertainment Inc., and 9219-1568 Quebec Inc., certify that the foregoing instrument was served pursuant to the Federal Rules of Civil Procedure on August 9, 2024 upon all counsel of record via ECF.

Dated: August 9, 2024

MINTZ LEVIN COHN FERRIS  
GLOVSKY AND POPEO P.C.

/s/ Esteban Morales

Esteban Morales

*Attorney for Defendants MindGeek  
S.à r.l., MG Freesites Ltd, MindGeek  
USA Incorporated, MG Premium Ltd,  
MG Global Entertainment Inc., and  
9219-1568 Quebec Inc.*